

Amendment No. 1 to HB2328**Hargrove
Signature of Sponsor****AMEND Senate Bill No. 2262*****House Bill No. 2328**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

Section 71-5-199.

(a) Any managed care organization or behavioral health organization participating in the TennCare program, or any successor program for providing medical assistance, shall contract directly with federally qualified health centers, federally qualified health center look-alikes, and rural health clinics, within the service area of an organization, as facilities instead of contracting with providers employed by the facility. These facilities shall employ credentialed providers for providing services and shall receive a facility number to which patients shall be assigned and under which services shall be billed. These facilities shall comply with all applicable federal law.

(b) For the purposes of this section, the terms “federally qualified health center”, “federally qualified health center look-alike”, and “rural health clinics” shall mean such entities as they are defined under Section 1905 and 1861(aa) of the federal Social Security Act.

(c) (1) The provisions of this section shall not require or permit any physician employed by a federally qualified health center, federally qualified health center look-alike, and rural health clinic, that participates in the TennCare program to exceed a patient load of two thousand five hundred (2,500).

(2) The provisions of this section shall not require or permit any physician extender employed by a federally qualified health center, federally qualified

health center look-alike, and rural health clinic, that participates in the TennCare program to exceed a patient load of two thousand five hundred (2,500).

(d) The provisions of this section shall not require any managed care plan participating in the TennCare program to contract with a federally qualified health center, federally qualified health center look-alike, and rural health clinic, if the managed care plan can demonstrate to the U. S. department of health and human services and to the Tennessee department of human services that both adequate capacity and an appropriate range of services for vulnerable populations exists to serve the expected enrollment in a service area without contracting with such centers or clinics.

SECTION 2. This act shall take effect July 1, 2004, the public welfare requiring it. This act shall apply to contracts entered into on or after July 1, 2004.